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TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **POWER OF ATTORNEY**

PURPOSE: ALLEY IMPROVEMENT

NAME OF PROPERTY OWNER OR GRANTOR: PAMELA R. PINE AND PAUL PINE

NAME/SUBDIVISION (LOT AND BLOCK): 620 NOLAND AVENUE - LOT 25 OF BLOCK 1 OF SOUTH FIFTH STREET SUBDIVISION

PARCEL NO: 2945-232-02-025

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2004

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

CITY OF GRAND JUNCTION
POWER OF ATTORNEY FOR ALLEY IMPROVEMENT

OWNERS: Pamela R. Pine and Paul Pine

ADDRESS OF PROPERTY: 620 Noland Avenue, Grand Junction, CO 81501

TAX PARCEL #: 2945-232-02-025

2205066 BK 3706 PG 51-53
07/29/2004 12:58 PM
Janice Ward CLK&REC Mesa County, CO
RecFee \$15.00 SurChg \$1.00

LEGAL DESCRIPTION OF PROPERTY:

In the County of Mesa, and State of Colorado, to wit:

Lot 25 in Block 1 of SOUTH FIFTH STREET SUBDIVISION

DESCRIPTION OF ALLEY:

ALL of that certain 10.00 foot wide alley as shown and depicted on the South Fifth Street Subdivision, as same is recorded in Plat Book 7, Page 19, Public Records of Mesa County, Colorado, lying North of the North right of way for Noland Avenue and South of the Easterly prolongation of the North line of Lot 25, Block 1 of said South Fifth Street Subdivision.

CONTAINS 2,381 Sq. Ft., more or less, as depicted on the recorded subdivision plat. Attached is Exhibit "A" which is incorporated herein as if fully rewritten.

BE IT KNOWN THAT:

WE, Pamela R. Pine and Paul Pine as owners of the real property described above, located in the City of Grand Junction Colorado, agree that, as a condition of City approval of development of the property, the alley which adjoins the above described property is required to be improved or reconstructed to City standards and specifications. The required improvement or reconstruction has, with the consent of the City Manager, been deferred to such time, if any, as an alley improvement district, or equivalent legal mechanism, is formed for that certain alley described above. The estimated cost to the owners, or their heirs, successors and assigns, in 2004, dollars is \$11,875.00. The actual cost which we will pay will be determined in accordance with rates and policies established by the City at the time of formation of the improvement district.

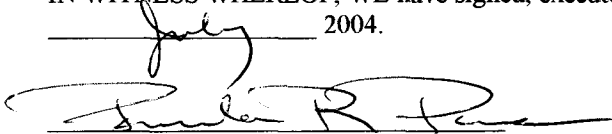
WE as owners of the above described real property do hereby agree to participate in an improvement district, if one is formed, for the improvement or reconstruction of said alleys either as a part of a larger scope of work or otherwise, to the then existing standards and do hereby designate and appoint the City Clerk of the City of Grand Junction as our Attorney-in-Fact, to execute any and all petitions, documents and instruments to effectuate our intention to participate in said improvement district for such purpose, or to otherwise act in conformity with said general direction. The City Clerk is empowered by us to do and perform any and all acts which the City Clerk shall deem necessary, convenient or expedient to accomplish such improvements or reconstruction as fully as we might do if personally present.

This instrument is irrevocable and shall be recorded. This instrument shall be deemed to be a covenant which runs with the land. This authority and the covenant created thereby shall be binding upon any and all successors in interest to the above described property and shall not cease upon my death (the death of either or both of us) or the dissolution of marriage, partnership, corporation or other form of association which may hold title, or claim an interest to the property described herein.

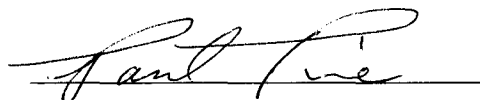
As a further covenant to run with the land, we agree that in the event a counterpetition to any proposed improvements or improvement district is prepared, any signature on such petition purporting to affect the land herein described may be ignored as of no force and effect by the City.

This power of attorney is not terminable; it shall terminate only upon the formation of an improvement district as herein described.

IN WITNESS WHEREOF, WE have signed, executed and acknowledged this instrument on this 7th day of July 2004.

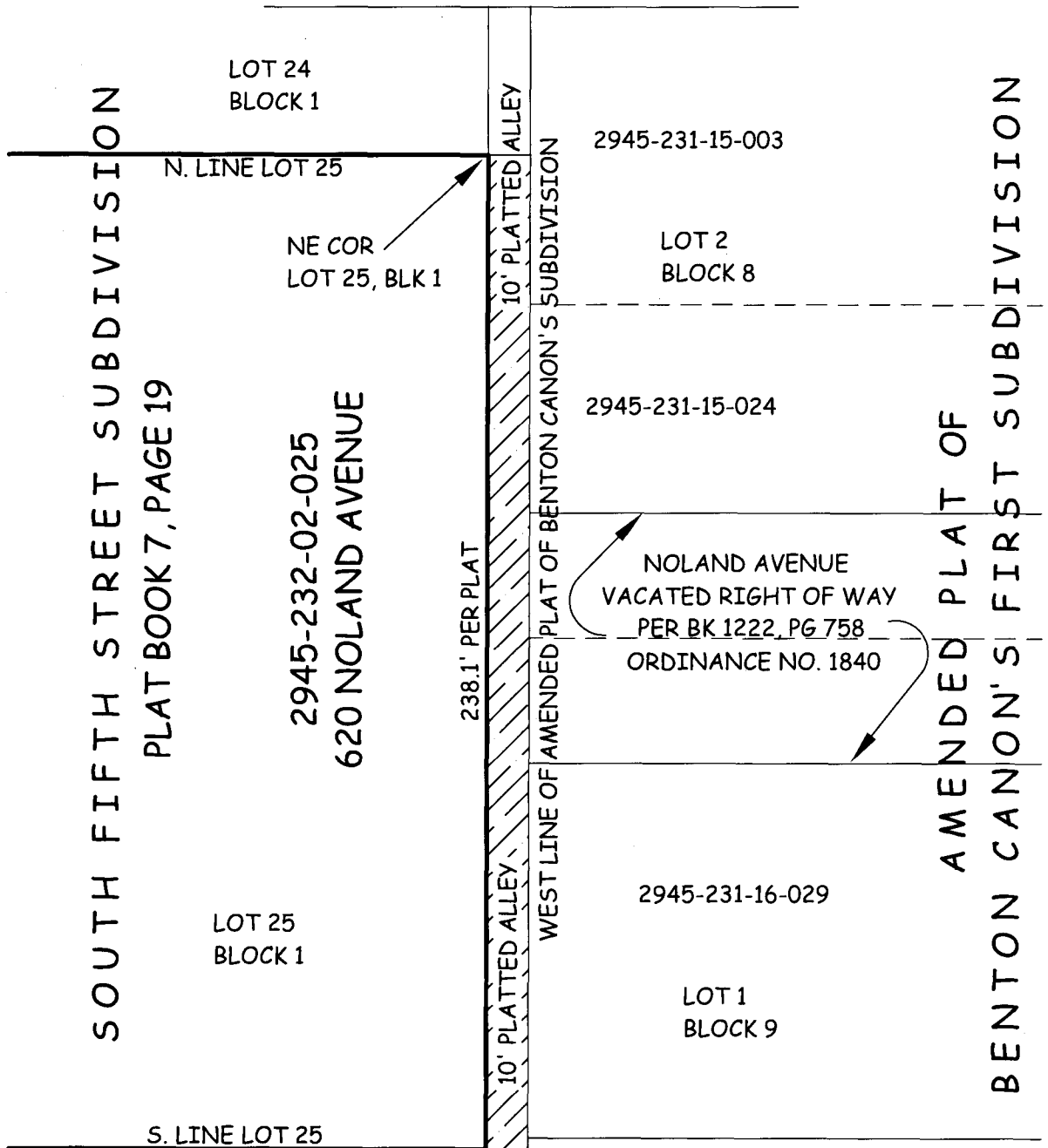


Pamela R. Pine



Paul Pine

EXHIBIT "A"



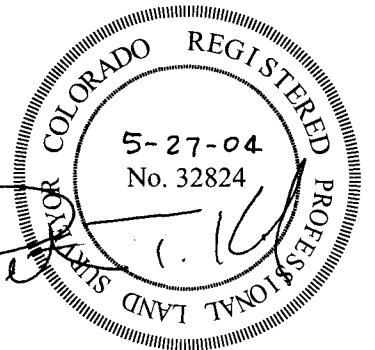
NOLAND AVENUE

NOLAND AVENUE

LOT 10
BLOCK 2

N. LINE OF LOT 2, BLK 9

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



DRAWN BY: P.T.K.
DATE: 05-27-2004
SCALE: 1" = 40'
APPR. BY: T.W.

2945-232-02-025
620 NOLAND AVENUE

CITY OF **grand junction** COLORADO
serving the community together